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UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

15-30397

CHAPTER 13 PLAN AND RELATED MOTIONS

Name of Debtor(s):	Victoria Edmonds	Case No:
This plan, dated	ary 28, 2015, is:	
□ a □	ne <i>first</i> Chapter 13 plan filed in this case. modified Plan, which replaces the lconfirmed or \(\sum \text{unconfirmed Plan dated} \). rate and Time of \(\text{Modified Plan} \) Confirming Hearing:	
P	lace of Modified Plan Confirmation Hearing:	
The Pla	n provisions modified by this filing are:	
Creditor	rs affected by this modification are:	

NOTICE: YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully. If you oppose any provision of this Plan, or if you oppose any included motions to (i) value collateral, (ii) avoid liens, or (iii) assume or reject unexpired leases or executory contracts, you MUST file a timely written objection.

This Plan may be confirmed and become binding, and the included motions in paragraphs 3, 6, and 7 to value collateral, avoid liens, and assume or reject unexpired leases or executory contracts may be granted, without further notice or hearing unless a written objection is filed not later than seven (7) days prior to the date set for the confirmation hearing and the objecting party appears at the confirmation hearing.

The debtor(s)' schedules list assets and liabilities as follows:

Total Assets: **\$145,755.00**

Total Non-Priority Unsecured Debt: \$8,322.00

Total Priority Debt: **\$507.84**Total Secured Debt: **\$78,637.00**

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- 1. Funding of Plan. The debtor(s) propose to pay the trustee the sum of \$200.00 Monthly for 4 months, then \$250.00 Monthly for 56 months. Other payments to the Trustee are as follows: NONE . The total amount to be paid into the plan is \$ 14,800.00 .
- 2. **Priority Creditors.** The Trustee shall pay allowed priority claims in full unless the creditor agrees otherwise.
 - A. Administrative Claims under 11 U.S.C. § 1326.
 - 1. The Trustee will be paid the percentage fee fixed under 28 U.S.C. § 586(e), not to exceed 10%, of all sums disbursed except for funds returned to the debtor(s).
 - 2. Debtor(s)' attorney will be paid \$_4,400.00 balance due of the total fee of \$_5,000.00 concurrently with or prior to the payments to remaining creditors.
 - B. Claims under 11 U.S.C. §507.

The following priority creditors will be paid by deferred cash payments pro rata with other priority creditors or in monthly installments as below, except that allowed claims pursuant to 11 U.S.C. § 507(a)(1) will be paid prior to other priority creditors but concurrently with administrative claims above:

Creditor	Type of Priority	Estimated Claim	Payment and Term
Virginia Dept of Taxation	Taxes and certain other debts	507.84	Prorata
			3 months

- 3. Secured Creditors: Motions to Value Collateral ("Cramdown"), Collateral being Surrendered, Adequate Protection Payments, and Payment of certain Secured Claims.
 - A. Motions to Value Collateral (other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) or by the final paragraph of 11 U.S.C. § 1325(a)). Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion to value collateral as set forth herein.

This section deals with valuation of certain claims secured by real and/or personal property, other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) [real estate which is debtor(s)' principal residence] or by the final paragraph of 11 U.S.C. § 1325(a) [motor vehicles purchased within 910 days or any other thing of value purchased within 1 year before filing bankruptcy], in which the replacement value is asserted to be less than the amount owing on the debt. Such debts will be treated as secured claims only to the extent of the replacement value of the collateral. That value will be paid with interest as provided in sub-section D of this section. You must refer to section 3(D) below to determine the interest rate, monthly payment and estimated term of repayment of any "crammed down" loan. The deficiency balance owed on such a loan will be treated as an unsecured claim to be paid only to the extent provided in section 4 of the Plan. The following secured claims are to be "crammed down" to the following values:

<u>Creditor</u> <u>Collateral</u> <u>Purchase Date</u> <u>Est Debt Bal.</u> <u>Replacement Value</u>

B. Real or Personal Property to be Surrendered.

Upon confirmation of the Plan, or before, the debtor(s) will surrender his/her/their interest in the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy the claim, any timely filed deficiency claim to which the creditor is entitled may be paid as a non-priority unsecured claim. Confirmation of the Plan shall terminate the automatic stay as to the interest of the debtor(s) and the estate in the collateral.

<u>Creditor</u> <u>Collateral Description</u> <u>Estimated Value</u> <u>Estimated Total Claim</u>

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C. Adequate Protection Payments.

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The debtor(s) propose to make adequate protection payments required by 11 U.S.C. § 1326(a) or otherwise upon claims secured by personal property, until the commencement of payments provided for in sections 3(D) and/or 6(B) of the Plan, as follows:

Creditor

Collateral Description

Adeq. Protection Monthly Payment

To Be Paid By

-NONE-

Any adequate protection payment upon an unexpired lease of personal property assumed by the debtor(s) pursuant to section 6(B) of the Plan shall be made by the debtor(s) as required by 11 U.S.C. § 1326(a)(1)(B) (payments coming due after the order for relief).

D. Payment of Secured Claims on Property Being Retained (except only those loans provided for in section 5 of the Plan):

This section deals with payment of debts secured by real and/or personal property [including short term obligations, judgments, tax liens and other secured debts]. After confirmation of the Plan, the Trustee will pay to the holder of each allowed secured claim, which will be either the balance owed on the indebtedness or, where applicable, the collateral's replacement value as specified in sub-section A of this section, whichever is less, with interest at the rate provided below, the monthly payment specified below until the amount of the secured claim has been paid in full. Upon confirmation of the Plan, the valuation and interest rate shown below will be binding unless a timely written objection to confirmation is filed with and sustained by the Court.

Creditor

Collateral

Approx. Bal. of Debt or "Crammed Down" Value

Interest Rate

Monthly Paymt & Est. Term**

-NONE-

E. Other Debts.

Debts which are (i) mortgage loans secured by real estate which is the debtor(s)' primary residence, or (ii) other long term obligations, whether secured or unsecured, to be continued upon the existing contract terms with any existing default in payments to be cured pursuant to 11 U.S.C. § 1322(b)(5), are provided for in section 5 of the Plan.

- 4. Unsecured Claims.

 - B. Separately classified unsecured claims.

Creditor -NONE-

Basis for Classification

Treatment

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- 5. Mortgage Loans Secured by Real Property Constituting the Debtor(s)' Primary Residence; Other Long Term 0 3 9 7 Payment Obligations, whether secured or unsecured, to be continued upon existing contract terms; Curing of any existing default under 11 U.S.C. § 1322(b)(5).
 - A. Debtor(s) to make regular contract payments; arrears, if any, to be paid by Trustee. The creditors listed below will be paid by the debtor(s) pursuant to the contract without modification, except that arrearages, if any, will be paid by the Trustee either pro rata with other secured claims or on a fixed monthly basis as indicated below, without interest unless an interest rate is designated below for interest to be paid on the arrearage claim and such interest is provided for in the loan agreement.

		Regular		Arrearage		Monthly
		Contract	Estimated	Interest	Estimated	Arrearage
Creditor	Collateral	Payment	Arrearage	Rate	Cure Period	Payment
Gm Financial	2011 GMC Terrain	287.00	0.00	0%	0 months	
Ocwen Loan Servicing L	Residential home and lot	649.00	0.00	0%	0 months	
	Location: 4028 Bolling Rd,					
	Richmond VA 23223					

B. Trustee to make contract payments and cure arrears, if any. The Trustee shall pay the creditors listed below the regular contract monthly payments that come due during the period of this Plan, and pre-petition arrearages on such debts shall be cured by the Trustee either pro rata with other secured claims or with monthly payments as set forth below.

		Regular			Monthly
		Contract	Estimated Interest	Term for	Arrearage
Creditor	Collateral	Payment	<u>Arrearage</u> <u>Rate</u>	Arrearage	Payment
-NONE-					

C. Restructured Mortgage Loans to be paid fully during term of Plan. Any mortgage loan against real estate constituting the debtor(s)' principal residence upon which the last scheduled contract payment is due before the final payment under the Plan is due shall be paid by the Trustee during the term of the Plan as permitted by 11 U.S.C. § 1322(c)(2) with interest at the rate specified below as follows:

Creditor	Collateral	Interest Rate	Estimated Claim	Monthly Paymt& Est. Term**
-NONE-				

- **6. Unexpired Leases and Executory Contracts.** The debtor(s) move for assumption or rejection of the executory contracts and leases listed below.
 - A. Executory contracts and unexpired leases to be rejected. The debtor(s) reject the following executory contracts.

Creditor	Type of Contract
-NONE-	

B. Executory contracts and unexpired leases to be assumed. The debtor(s) assume the following executory contracts. The debtor agrees to abide by all terms of the agreement. The Trustee will pay the pre-petition arrearages, if any, through payments made pro rata with other priority claims or on a fixed monthly basis as indicated below.

-NONE-				
Creditor	Type of Contract	Arrearage	Payment for Arrears	Estimated Cure Period
			Monthly	

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7. Liens Which Debtor(s) Seek to Avo

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A. The debtor(s) move to avoid liens pursuant to 11 U.S.C. § 522(f). The debtor(s) move to avoid the following judicial liens and non-possessory, non-purchase money liens that impair the debtor(s)' exemptions. Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion and cancel the creditor's lien. If an objection is filed, the Court will hear evidence and rule on the motion at the confirmation hearing.

Creditor -NONE-

Collateral

Exemption Amount

Value of Collateral

B. Avoidance of security interests or liens on grounds other than 11 U.S.C. § 522(f). The debtor(s) have filed or will file and serve separate pleadings to avoid the following liens or security interests. The creditor should review the notice or summons accompanying such pleadings as to the requirements for opposing such relief. The listing here is for information purposes only.

Creditor -NONE-

Type of Lien

Description of Collateral

Basis for Avoidance

- 8. Treatment and Payment of Claims.
 - All creditors must timely file a proof of claim to receive payment from the Trustee.
 - If a claim is scheduled as unsecured and the creditor files a claim alleging the claim is secured but does not timely object to confirmation of the Plan, the creditor may be treated as unsecured for purposes of distribution under the Plan. This paragraph does not limit the right of the creditor to enforce its lien, to the extent not avoided or provided for in this case, after the debtor(s) receive a discharge.
 - If a claim is listed in the plan as secured and the creditor files a proof of claim alleging the claim is unsecured, the creditor will be treated as unsecured for purposes of distribution under the Plan.
 - The Trustee may adjust the monthly disbursement amount as needed to pay an allowed secured claim in full.
- 9. Vesting of Property of the Estate. Property of the estate shall revest in the debtor(s) upon confirmation of the Plan. Notwithstanding such vesting, the debtor(s) may not sell, refinance, encumber real property or enter into a mortgage loan modification without approval of the Court after notice to the Trustee, any creditor who has filed a request for notice and other creditors to the extent required by the Local Rules of this Court.
- **10. Incurrence of indebtedness.** The debtor(s) shall not voluntarily incur additional indebtedness exceeding the cumulative total of \$5,000 principal amount during the term of this Plan, either unsecured or secured against personal property, except upon approval of the Court after notice to the Trustee, any creditor who has filed a request for notice, and other creditors to the extent required by the Local Rules of this Court.
- 11. Other provisions of this plan:

Signatures:		
Dated: January 28, 2015		
/s/ Victoria Edmonds	/s/ Clinton Davis	
Victoria Edmonds	Clinton Davis	
Debtor	Debtor's Attorney	

Exhibits: Copy of Debtor(s)' Budget (Schedules I and J);

Matrix of Parties Served with Plan

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Certificate of Service

/s/ Clinton Davis
Clinton Davis
Signature

11900 Chester Village Dr.
Chester, VA 23831
Address

804-332-4041
Telephone No.

Ver. 09/17/09 [effective 12/01/09]

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	in this information to identify your countries to victoria Edr									
	btor 2 buse, if filing)				_					
Uni	ited States Bankruptcy Court for the	EASTERN DISTRICT	OF VIRGINIA							
_	se number nown)		-				nended fili plement s	showing	post-petitio	
\cap	fficial Form B 6I					13 inc	ome as o	f the foll	lowing date:	
	chedule I: Your Inc	ome				MM /	DD/ YYY	7		12/13
sup spo atta	as complete and accurate as pose plying correct information. If you use. If you are separated and you ch a separate sheet to this form. The second as the complex to the complex that the comple	are married and not filing w	ng jointly, and your ith you, do not inclu	spouse ide infor	is liv mati	ing with you on about yoເ	, include ır spouse	informa If mor	ation about e space is	your needed,
1.	Fill in your employment information.		Debtor 1			Del	btor 2 or	non-fili	ng spouse	
	If you have more than one job, attach a separate page with information about additional	Employment status	■ Employed				Employed Not emplo			
	employers.	Occupation	Dietary Aide							
	Include part-time, seasonal, or self-employed work.	Employer's name	Glenburnie Rel	nab						
	Occupation may include student or homemaker, if it applies.	Employer's address	1901 Libbie Ave Richmond, VA							
Pal	rt 2: Give Details About Mo	How long employed t	here? <u>8 years</u>	5						
Esti spo	imate monthly income as of the duse unless you are separated. but or your non-filing spouse have me e space, attach a separate sheet to	ate you file this form. If		·	•		person or	n the line	es below. If	-
2.	List monthly gross wages, sala deductions). If not paid monthly,			2.	\$	2,010			g spouse N/A	
3.	Estimate and list monthly overt	ime pay.		3.	+\$	0	.00 <u>+</u>	\$	N/A	
4.	Calculate gross Income. Add lin	ne 2 + line 3.		4.	\$	2,010.6	7	\$	N/A	İ

Debto	or 1	Victoria Edmonds	-	Case	number (if known)		15-3 (397
	Cor	by line 4 here	4.	For \$	Debtor 1 2,010.67		ebtor 2 or iling spouse N/A	
	-		4.	Ψ	2,010.67	Ψ	N/A	
5.		all payroll deductions:	_			_		
	5a.	Tax, Medicare, and Social Security deductions	5a.	\$ <u></u> _	212.33	\$	N/A	
	5b.	Mandatory contributions for retirement plans	5b.	\$ <u> </u>	0.00	ф <u> —</u>	N/A	
	5c. 5d.	Voluntary contributions for retirement plans Required repayments of retirement fund loans	5c.	\$ <u> </u>	0.00	ф <u> —</u>	N/A	
	5u. 5e.	Insurance	5d. 5e.	\$ <u></u>	0.00	ф <u> —</u>	N/A	
	5e. 5f.	Domestic support obligations	5e. 5f.	\$ <u></u>	171.17	ф <u> —</u>	N/A	
	5g.	Union dues	5g.	\$ _	0.00	ф <u> —</u>	N/A N/A	
	5h.	Other deductions. Specify:	5h.+	· -		+ \$	N/A	
6.		the payroll deductions. Add lines 5a+5b+5c+5d+5e+5f+5g+5h.	— 6.	<u> </u>		· • —		
		• •	7.	Ψ —	383.50	φ	N/A	
		culate total monthly take-home pay. Subtract line 6 from line 4.	7.	\$ <u> </u>	1,627.17	\$	N/A	
	List 8a.	all other income regularly received: Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.	8a.	\$	0.00	\$	N/A	
	8b.	Interest and dividends	8b.	\$	0.00	\$	N/A	
	8c.	Family support payments that you, a non-filing spouse, or a dependent regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement. Unemployment componenties	8c. 8d.	\$_ \$	0.00	\$	N/A	
	8d.	Unemployment compensation		: —	0.00	ф <u> —</u>	N/A	
	8e. 8f.	Social Security	8e.	\$ <u>_</u>	0.00	» <u>—</u>	N/A	
		Other government assistance that you regularly receive Include cash assistance and the value (if known) of any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify:	8f.	\$	0.00	\$	N/A	
	8g.	Pension or retirement income	8g.	\$_	0.00	\$	N/A	
	8h.	Other monthly income. Specify:	8h.+	\$ <u>_</u>	0.00	+ \$	N/A	
9.	Add	d all other income. Add lines 8a+8b+8c+8d+8e+8f+8g+8h.	9.	\$	0.00	\$	N/A	
10.	Cal	culate monthly income. Add line 7 + line 9.	10. \$		1.627.17 + \$		N/A = \$ 1	.627.17
-	-	I the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	ΙΟ. Ψ		1,027.17		"//	,027.17
11.	Star Incli othe Do	te all other regular contributions to the expenses that you list in Schedule ude contributions from an unmarried partner, members of your household, your er friends or relatives. not include any amounts already included in lines 2-10 or amounts that are not accify:	depend	,		•	hedule J. 11. +\$	0.00
		If the amount in the last column of line 10 to the amount in line 11. The reside that amount on the Summary of Schedules and Statistical Summary of Certain lies					12. \$ <u>1</u>	,627.17
13.	Do :	you expect an increase or decrease within the year after you file this form No.	?				monthly i	
		Yes. Explain: The debtor is going to increase her hours at wor	k to m	ake ı	up the shortfa	II to aff	ord her plan	

The debtor is going to increase her hours at work to make up the shortfall to afford her plan payments.

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Fill in	this information to identify your case:				
Debto	or 1 Victoria Edmonds		Chec	ck if this is:	
		_		An amended filing	
Debto					ving post-petition chapter
(Spou	ise, if filing)			13 expenses as of	the following date.
United	d States Bankruptcy Court for the: EASTERN DISTRICT OF VIR	rginia	•	MM / DD / YYYY	
Case (If kno	number own)			A separate filing for 2 maintains a sepa	Debtor 2 because Debtor rate household
Off	icial Form B 6J				
Sc	hedule J: Your Expenses				12/13
infor numl	s complete and accurate as possible. If two married peopl mation. If more space is needed, attach another sheet to t ber (if known). Answer every question.				
Part 1	1: Describe Your Household Is this a joint case?				
	■ No. Go to line 2.				
	■ No. Go to line 2. ☐ Yes. Does Debtor 2 live in a separate household?				
	□ No				
	☐ Yes. Debtor 2 must file a separate Schedule J.				
2.	Do you have dependents? ■ No				
	Do not list Debtor 1 and	•		Dependent's age	Does dependent live with you?
	Do not state the dependents' names.				□ No □ Yes
	dependents names.				☐ Yes
					□Yes
					□ No
					☐ Yes
					□ No
^	D	-			☐ Yes
	Do your expenses include expenses of people other than yourself and your dependents?				
Part 2	2: Estimate Your Ongoing Monthly Expenses				
expe	nate your expenses as of your bankruptcy filing date unlead enses as of a date after the bankruptcy is filed. If this is a s icable date.				
the v	de expenses paid for with non-cash government assistan value of such assistance and have included it on <i>Schedule</i> cial Form 6I.)			Your expe	enses
•	•	ea Include first mertees			
	The rental or home ownership expenses for your residence payments and any rent for the ground or lot.	ье. пісіцае пізі топдаде	4. \$		450.00
	If not included in line 4:				
	4a. Real estate taxes		4a. \$	s	0.00
	4b. Property, homeowner's, or renter's insurance		4b. \$		0.00
	4c Home maintenance repair and unkeep expenses		4c 9	,	0.00

4d. Homeowner's association or condominium dues

5. Additional mortgage payments for your residence, such as home equity loans

Debto	or 1 Victoria	Edmonds	Case numb	per (if known)	15-30397
					10 00001
-	Utilities: 6a. Electricity,	heat, natural gas	6a.	\$	150.00
	•	wer, garbage collection	6b.	\$	40.00
		e, cell phone, Internet, satellite, and cable services	6c.	\$	120.00
	6d. Other. Spe		6d.	\$	0.00
		ekeeping supplies	7.	\$	200.00
		children's education costs	8.	\$	0.00
		ry, and dry cleaning	9.	\$	50.00
	•	products and services	10.	\$	50.00
	Medical and de		11.	\$	0.00
		Include gas, maintenance, bus or train fare.		<u> </u>	0.00
	Do not include c		12.	\$	100.00
13. E	Entertainment,	clubs, recreation, newspapers, magazines, and books	13.	\$	0.00
14. (Charitable cont	ributions and religious donations	14.	\$	0.00
	Insurance.				
		surance deducted from your pay or included in lines 4 or 20.	4.5	•	
	15a. Life insura		15a.	·	0.00
	15b. Health ins		15b.	·	0.00
	15c. Vehicle in		15c.	\$	100.00
	15d. Other insu	· · ·	15d.	\$	0.00
	Taxes. Do not in Specify:	clude taxes deducted from your pay or included in lines 4 or 20.	16.	\$	0.00
		ease payments:		<u> </u>	0.00
		ents for Vehicle 1	17a.	\$	287.00
		ents for Vehicle 2	17b.	\$	0.00
1	17c. Other. Spe	ecify:	17c.	\$	0.00
	17d. Other. Spe		17d.	\$	0.00
		of alimony, maintenance, and support that you did not report	as	·	
(deducted from	your pay on line 5, Schedule I, Your Income (Official Form 6I).	18.		0.00
		s you make to support others who do not live with you.		\$	0.00
	Specify:		19.		
		erty expenses not included in lines 4 or 5 of this form or on Sc			0.00
	20a. Mortgages 20b. Real estat	s on other property	20a. 20b.		0.00
		homeowner's, or renter's insurance	20b. 20c.		0.00
		norneowners, or renter's insurance nce, repair, and upkeep expenses			0.00
		er's association or condominium dues	20d. 20e.	\$	0.00
		ers association of condominium dues		· -	0.00
21. (Other: Specify:	-	21.	+\$	0.00
22.	Your monthly e	xpenses. Add lines 4 through 21.	22.	\$	1,547.00
	,	r monthly expenses.		-	
		monthly net income.			
		12 (your combined monthly income) from Schedule I.	23a.		1,627.17
1	23b. Copy your	monthly expenses from line 22 above.	23b.	-\$	1,547.00
2	23c. Subtract your monthly expenses from your monthly income. The result is your <i>monthly net income</i> .		23c.	\$	80.17
	The result is your <i>monthly net income</i> .		200.	*	
F r	o you expect an increase or decrease in your expenses within the year after you file this form? or example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a lodification to the terms of your mortgage?				
	■ No.				
	☐ Yes. Explain:				

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Allied Cash Advance 6300 Mechanicsville Trnpk Mechanicsville, VA 23111

Gm Financial Po Box 181145 Arlington, TX 76096

Home Furnishings Po Box 12812 Norfolk, VA 23541

Home Furnishings c/o Glasser & Glasser PO Box 3400 Norfolk, VA 23514

MCV Physicians 1601 Willow Lawn Dr, Ste 275 Richmond, VA 23230

Ocwen Loan Servicing L 3451 Hammond Ave. Waterloo, IA 50702

Pmab Llc 4135 S Stream Blvd Ste 4 Charlotte, NC 28217

Pmab Srvc 4135 S Stream Blvd Ste 4 Charlotte, NC 28217

Receivable Management 7206 Hull Street Rd Ste North Chesterfield, VA 23235

T-Mobile PO Box 742596 Cincinnati, OH 45274

United Consumer Financial 865 Bassett Rd Westlake, OH 44145

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Virginia Dept of Taxation PO Box 2369 Richmond, VA 23218

Williams & Fudge Inc 300 Chatham Ave Ste 201 Rock Hill, SC 29730